

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

CHARLINE M. BEENE,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-17- 141 -RAW
)	
MILTON ANTHONY, individually and in)	
his official capacity,)	
)	
CARTER COUNTY, a political subdivision)	
sued in the name of the Board of)	
County Commissioners of Carter)	
County,)	
)	
Defendant.)	JURY TRIAL DEMANDED

COMPLAINT

COMES NOW THE PLAINTIFF, and alleges that:

PARTIES

1. The Plaintiff is Ms. Charline M. Beene, an adult female resident of Murray County.
2. The Defendants are:
 - A. Milton Anthony, who was at all relevant times the Sheriff of Carter County and the official decisionmaker regarding the employment of persons in the Sheriff's office;
 - B. Carter County, a political subdivision of the State of Oklahoma.

JURISDICTION AND VENUE

3. This is a cause of action for harassment and discrimination based on gender, and retaliation for complaining of such discrimination, as prohibited by the

Fourteenth Amendment, Title VII, and Oklahoma Anti-Discrimination Act (OADA). Jurisdiction over the federal claims is vested pursuant to 42 U.S.C. § 2000e-5(f), 42 U.S.C. § 1983, 28 U.S.C. §§ 1331, 1367.

4. All of the actions complained of occurred in Ardmore, which is located in Carter County, Oklahoma, and the Defendants may be served in that county. Carter County is located in the Eastern District of the United States District Court for Oklahoma, wherefore venue is proper in this Court under 28 U.S.C. § 1391(b).

STATEMENT OF FACTS

5. Ms. Beene is an adult female resident of Murray County who is employed by the Carter County Sheriff's Office as a deputy since approximately Dec. 15, 2014.
6. Shortly after Plaintiff was hired, Plaintiff began hearing information about sexually inappropriate conduct of the Sheriff, Milton Anthony, including him dating female felons.
7. Plaintiff began seeing and hearing other matters which made Plaintiff increasingly uncomfortable around him.
8. On approximately March 3, 2016, Sheriff Anthony leaned over, touched the Plaintiff's shoulders, then ran his hands down Plaintiff arms and deliberately touched Plaintiff's breast. Anthony then leaned over and placed his cheek against Plaintiff's. Plaintiff protested and left his presence.
9. On or about March 14, 2016, Sheriff Anthony required Plaintiff to come in so

he could pin an American flag on Plaintiff, and in doing so, touched Plaintiff's breast again.

10. Plaintiff had learned that Sheriff Anthony had sexually harassed two other females, which contributed to Plaintiff's fear and to the hostility of the work environment.
11. From the period from March through June, 2016, Plaintiff suffered daily anxiety, upset, worry, humiliation, and degradation from the sexually hostile environment created by the Sheriff.
12. Plaintiff was placed on administrative leave with pay and the Sheriff was suspended for sexual misconduct on or about June 29, 2016.
13. As the result of the incidents above described, Ms. Beene suffered emotional distress, which manifested in physical pain requiring treatment and medication for which she is entitled to compensation.
14. Plaintiff filed a charge of discrimination with the EEOC on or about July 11, 2016. The EEOC issued its right to sue letter on or about March 23, 2017, which was received thereafter. Plaintiff has brought this action within ninety (90) days of the issuance and receipt of the right to sue letter and by such action, has exhausted all of her federal administrative requirements.
15. Plaintiff filed a tort claim notice regarding the conduct of both Defendants on or about July 13, 2016. By operation of law, the tort claim was deemed denied ninety (90) days after service, and this lawsuit is timely filed within one hundred and eighty (180) days of the deemed denial. By this action and by

filing with the EEOC, the Plaintiff exhausted all administrative remedies under Oklahoma law.

16. Plaintiff brings a claim under Title VII against the County only for sexual harassment and seeks recovery of the damages set out above.
17. Plaintiff brings a claim under the Fourteenth Amendment and made actionable against Carter County for the gender based harassment conducted by the Sheriff. This claim goes only to the Sheriff in his individual capacity and seeks compensation for the damages set out above as well as punitive damages from him individually due to his reckless disregard of Plaintiff's federally protected rights.
18. Because Sheriff Anthony was at all times acting under the color of his position as Sheriff of Carter County, Plaintiff seeks recovery of damages from Carter County under the provisions of the Oklahoma Governmental Tort Claims Act.

WHEREFORE, Plaintiff prays that she be awarded her actual and liquidated damages herein, together with costs, pre- and postjudgment interest and attorney's fees, and any other relief as may be appropriate.

RESPECTFULLY SUBMITTED THIS 13th DAY OF APRIL, 2017.

HAMMONS, GOWENS, HURST
& ASSOCIATES

s/Mark Hammons

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